



VTX0061-US

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**RECEIVED**

JUN 29 2004

Technology Center 2600

In re the Application of:

HORVAT ET AL.

Serial No.: 09/578,140

Filed: May 24, 2000

For: METHOD FOR AVOIDING  
INTERFERENCE IN A DIGITAL  
COMMUNICATIONS SYSTEM

Art Unit: 2661

Examiner: Wahba, Andrew W.

**INFORMATION DISCLOSURE STATEMENT FILED UNDER 37 C.F.R. § 1.97(d)**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicants wish to make of record in the above-identified application the document or documents referenced on the attached Form PTO-1449. A copy of each reference is enclosed herewith. In accordance with 37 C.F.R. § 1.97(d) the undersigned hereby certifies that:

☒ each item of information contained in the information disclosure statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement; or

☐ no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and to my knowledge after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any

individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of the information disclosure statement.

Further, in accordance with 37 C.F.R. § 1.97(d), applicants are submitting herewith:

- ☒ Check in the amount of \$180.00 to cover the required fees under 37 C.F.R. § 1.17(p) for submission of this Information Disclosure Statement;
- ☐ The Commissioner is hereby authorized to charge the amount of \$180.00 to Deposit Account 50-1390 to cover the required fees under 37 C.F.R. § 1.17(p) for submission of this Information Disclosure Statement, and a copy of this authorization is attached.

The Commissioner is hereby authorized to charge payment of any additional fees associated with this communication or credit any overpayment to Deposit Account 50-1390.

It is respectfully requested that the information be expressly considered during the prosecution of this application, and that each reference be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This submission does not represent that any referenced document is material or constitutes "prior art." If it should be determined that one or more of the referenced documents constitute "prior art" under United States law, Applicants reserve the right to present to the Office the relevant facts and law regarding the appropriate status of the reference or references.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over any referenced document, should it be applied against the claims of the present application.

Serial No.: 09/578,140  
Art Unit: 2661

Attorney's Docket No.: VTX0061-US  
Page 3

SHAW PITTMAN LLP  
1650 Tysons Boulevard  
McLean, VA 22102  
Tel: 703/770-7900

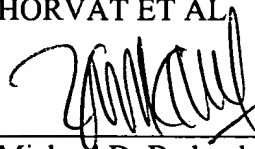
Date: June 21, 2004

Customer No. 28970

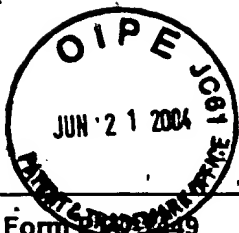
Respectfully submitted,

HORVAT ET AL

By:

  
Michael D. Bedarek  
Registration No. 32,329

POH CHINA  
44,615



Form <b>P-225</b> (Rev. 8-88) <b>U.S. Department of Commerce Patent and Trademark Office</b>	<b>Attorney Docket No.:</b> 991323	<b>Serial No.:</b> 09/578,140
	<b>Applicant:</b> Horvat et al.	
	<b>Filing Date:</b> May 24, 2000	<b>Group:</b> 2739

**INFORMATION DISCLOSURE CITATION**  
(Use several sheets if necessary)**U.S. PATENT DOCUMENTS**

Examiner Initial*	Document Number	Date	Name	Class	Subclass	Filing Date If Appropriate

RECEIVED

JUN 29 2004

**FOREIGN PATENT DOCUMENTS**

Technology Center 2600

	Document Number	Date	Country	Class	Subclass	Translation	
						Yes	No
	DE 195 26 549 A1	02/01/1996	Germany	H 04J	3/10		X
	2 292 048	02/07/1996	United Kingdom	H 04J	3/10		X
	WO 99/49587	10/30/1999	WO	H 04B	7/005, 7/26		X
	WO 01/73956 A2	10/04/2001	WO	H 04B	1/00		X

**OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)**


<b>Examiner</b>	<b>Date Considered</b>
-----------------	------------------------

\*Examiner: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.